

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

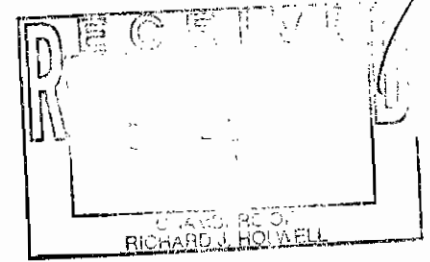
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FRANK WILLIAMS,

Plaintiff.

-against-

THE CITY OF NEW YORK, DET. HECTOR
RODRIGUEZ, UNDERCOVER #2540,
SGT. "JOHN" NEESSEN, DET. N. RODRIGUEZ,
DET. "JOHN" VENERO, DET. "JOHN" VERGELI,
DET. "JOHN" HEANUE, DET. "JOHN" GEIST,
and P.O.s "JOHN" and "JANE DOE", #1-10,
Individually and in their Official Capacities, (the
names John and Jane Doe being factitious, as the true
names are presently unknown),

Defendants.
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**STIPULATION
AND ORDER OF
SETTLEMENT
AND DISMISSAL AS TO
CLAIMS BY PLAINTIFF
FRANK WILLIAMS**

07 CV 0553 (RJH)

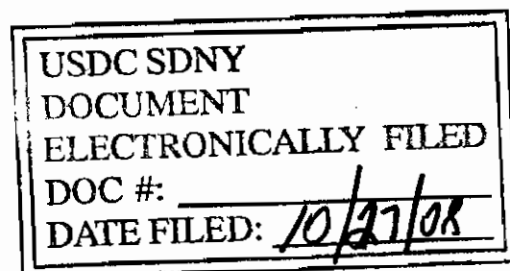
WHEREAS, plaintiff FRANK WILLIAMS commenced this action by filing a
complaint on or about January 24, 2007, alleging violations of his civil rights under federal and
New York State laws; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's
allegations; and

WHEREAS, defendant City of New York served plaintiff with a Rule 68 Offer of
Judgment on July 17, 2008; and

WHEREAS, plaintiff accepted defendant City of New York's Rule 68 Offer of
Judgment on August 4, 2008;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, as follows:



1. All claims in the above-referenced action asserted by plaintiff Frank Williams are hereby dismissed, with prejudice, and without costs, expenses, or fees except as specified in paragraphs "2," "3," and "5" below.

2. Defendant City of New York hereby agrees to pay plaintiff Frank Williams the sum of Thirty Thousand and One Dollars (\$30,001.00), plus reasonable attorneys' fees, expenses, and costs, up to the date of the Rule 68 Offer, in full satisfaction of all claims against defendants. In consideration for the payment of this sum, plaintiff Williams agrees to dismissal of all of the claims brought by her against the individually-named defendants and to release all defendants, any present or former employees or agents of the City of New York, the City of New York or any agency thereof, from any and all liability, claims, which were or could have been alleged by plaintiff in this action, or rights of action arising from the events alleged in the complaint in this action.

3. Plaintiff has assigned her rights to attorneys' fees, expenses, and costs to his attorney, Rose Weber, Esq.

4. Plaintiff Frank Williams shall execute and deliver to the defendants' attorney all documents necessary to effect this settlement including, without limitation, a General Release based on the terms of paragraphs "2" and "3" above and an Affidavit of No Liens.

5. The City of New York hereby agrees to pay counsel for plaintiff, Rose Weber, Esq., the sum of Twenty Thousand Three Hundred and Eight Dollars (\$20,308.00), as reasonable attorneys' fees, expenses, and costs to the date of the Offer of Judgment referenced in paragraph "2" above. Counsel for plaintiff hereby agrees and represents that no further claim for attorneys' fees, costs, or expenses arising out of this action shall be made by or on behalf of plaintiff Frank Williams up to and including the date of the Offer of Judgment referenced in

paragraph "2" above in any application for attorneys' fees, costs, or expenses at any time in the future.

6. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

7. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or the New York City Police Department.

8. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
September 29, 2008

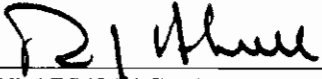
ROSE WEBER, ESQ.
Attorney for Plaintiff
225 Broadway, Suite 1608
New York, New York 10007
(212) 748-3355

By: Rose M. Weber
Rose M. Weber (RW 0515)

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street, Room 3-209
New York, New York 10007
(212) 788-1096

By: Sumit Sud
SUMIT SUD (SS 2781)
Assistant Corporation Counsel

SO ORDERED:



HONORABLE RICHARD J. HOLWELL
U.S.D.J.

10/27/08
The Clerk is requested to close this case.